

# ARIZONA DEPARTMENT OF ADMINISTRATION

## Policies and Procedures

Subject: Criminal History Investigations  
Supersedes: N/A

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### **AUTHORITY**

A.R.S.41-777.

### **DEFINITIONS**

“Employer” means the Arizona Department of Administration (ADOA).

“Department” means the Arizona Department of Administration (ADOA).

“Applicants/Employees” means all applicants, full time, part-time employees, volunteers and contractors who provide services of a security sensitive nature to ADOA.

“Criminal Conviction” means a conviction for a criminal offense involving violence, dishonesty or moral turpitude.

### **POLICY**

1. ADOA requires criminal history investigations be conducted for all new hires, rehires, voluntary transfers, promotions, and voluntary demotions of existing employees into positions that operate computer systems that contain or transmit data to which access is restricted by virtue of federal or state laws. Applicants or employees may be denied employment, have their application disqualified, or be terminated based on the results of the criminal history investigation. ADOA Human Resources department shall review and evaluate each case.
2. Applicants or employees under consideration for a position of trust that includes the operation of computer systems that contain or transmit data to which access is restricted by virtue of federal or state laws will be required to submit to a criminal history investigation which includes submission of a full set of fingerprints for the purpose of state and federal criminal records checks. This policy is to ensure the privacy, confidentiality or integrity of data within ADOA’s control.
3. The department may exchange this data with the Federal Bureau of Investigation, or other relevant agencies to be determined at the sole discretion of ADOA.
4. ADOA shall not disclose information obtained pursuant to this policy except to members of the department’s staff or other state agencies solely for the purpose of employment within state service.

## **REQUIREMENTS**

1. When an offer of employment or a position change occurs that requires the operation of computer systems that contain or transmit data to which access is restricted by virtue of federal or state laws, applicants/employees shall be required to submit a full set of fingerprints for the purpose of a state and federal criminal records check.
2. If it is determined, an offer of employment is extended, and the results of the criminal history investigation have not been received, all offers of employment will be contingent upon the successful verification of the investigation.
3. If review of the results of the criminal history investigation determines that an applicant/employee does not meet the standards established, the department may withdraw its offer of employment, or a current employee may be terminated.
4. An applicant/employee is required to report any future convictions to ADOA Human Resources within three (3) business days of notification from the Court of the conviction. If an applicant/employee fails to notify ADOA within the notice period, the applicant/employee will be subject to disciplinary action up to and including termination.
5. An applicant/employee will be required to submit to subsequent investigations every three (3) years, while employed in a position that operates computer systems that contain or transmit data to which access is restricted by virtue of federal or state laws.
6. ADOA Human Resources shall create and maintain internal standards for types of investigations required for different positions, and for evaluating criminal history investigation results.
7. Upon request, applicants/employees shall immediately present themselves at a designated location for fingerprinting.

## **AREAS IMPACTED**

Arizona Department of Administration, applicants and employees

## **CONTACTS**

If you have any questions related to this policy, please contact the Staffing/Recruitment Office.

## **PROCEDURE**

The following procedures will apply when determining whether a candidate or applicant meets the requirements for a criminal history investigation.

1. Hiring Manager has indicated on Personnel Requisition Form PD505 or Request for Personnel Action Form AD100 that this position requires a criminal history investigation.
2. It is the Hiring Supervisor's responsibility to ensure that job announcements for positions covered by this policy contain the following provision:

“Applicants for this position will be required to submit to a criminal history investigation pursuant to A.R.S. 41-777”.

3. When the interview process has been completed, the Hiring Supervisor will contact the ADOA/Staffing and Recruitment Unit, at 602-542-0318, to inform them that a candidate has been selected and the division intends to conduct a criminal history investigation. The offer letter shall contain the following language:

“This offer is contingent upon successful completion of a state and federal criminal records check investigation. You will receive further information on submitting a full set of fingerprints in order to complete this investigation”.

4. ADOA/Staffing and Recruitment will contact the ADOA Comptroller to inform them that a division has requested a criminal history investigation be completed. The ADOA Comptroller will send a Companion Transaction Entry/Transfer Form to be completed by the appropriate division approver. This process will cost \$29.00.
5. ADOA/Staffing and Recruitment will contact Capitol Police and schedule the applicant/employee for fingerprinting. ADOA/Staffing and Recruitment will contact the Hiring Supervisor to inform him/her of the date and time the applicant/employee should meet with ADOA/Staffing and Recruitment. ADOA/Staffing and Recruitment will provide the applicant/employee with a fingerprint card and the applicant/employee will complete the Arizona Department of Administration Authorization for Release of Information Form. The applicant/employee will be sent to Capitol Police for the purpose of completing the fingerprint process. When the applicant has completed the fingerprint process, Capitol Police will submit the fingerprint card to ADOA/Staffing and Recruitment for processing.
6. ADOA/Staffing and Recruitment will send the fingerprint card, an Applicant Fingerprint Inventory Form and completed Companion Transaction Entry/Transfer Form to DPS.

7. DPS upon receipt of the completed fingerprint card and inventory form, will enter the name into the DPS internal system and conduct a name search. Simultaneously, DPS will send the fingerprint card to the FBI to conduct a criminal history investigation. This process will take approximately three (3) days.
8. The results of the Fingerprint Accounting System Report of DPS Results Form will be sent to the ADOA/Staffing and Recruitment Unit.
9. If it is determined that the applicant/employee has a criminal conviction record, ADOA Human Resources will review the record for relevancy to the position and timeliness of the conviction.
10. A determination will then be made whether the applicant/employee's offer will be revoked, or if the applicant/employee is currently in the position, whether the applicant/employee will be terminated.
11. The Hiring Manager will be contacted to notify him/her whether the applicant/employee has clearance to be hired into the new position, or the applicant/employee has not successfully passed the criminal history investigation process.
12. This applicant/employee will be required to submit to subsequent investigations every three (3) years, while employed in a position that operates computer systems that contain or transmit data to which access is restricted by virtue of federal or state laws.